

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:

City of Detroit, Michigan,
Debtor.

Bankruptcy Case No. 13-53846

Judge Thomas J. Tucker

Chapter 9

AMENDED DESIGNATION OF ALLOWED CLAIM

On or about February 13, 2014, Nemeth Law, P.C., f/k/a Nemeth Burwell P.C. (“Nemeth”) filed claim number 938 (“Claim”) as a general unsecured claim in the amount of \$45,499.78. On or about July 9, 2014, Nemeth filed a ballot in favor of the City’s Plan,¹ seeking to have its claim treated as a class 15 convenience class claim. (“Ballot”, Exhibit 1.)

On November 12, 2018, the City of Detroit (“City”) filed a *Designation of Allowed Claims*, allowing the Nemeth claim.² (“Designation,” Doc. No. 12941.) The Designation did not take into account Nemeth’s Ballot election, however.

To correct this, and in accordance with Plan Article I, Section A.19 and Article III, Section E, the City designates Nemeth’s Claim as an allowed

¹ *Eighth Amended Plan for the Adjustment of Debts of the City of Detroit* (“Plan,” as filed at Doc. No. 8045 and as confirmed with slight modifications by order entered at Doc. No. 8272). Undefined terms have the meaning ascribed to them in the Plan.

² The Designation allowed one other claim as well, which is not at issue here.

Convenience class Claim in the amount \$25,000 to be treated under the Plan as a
Class 15 Convenience Claim.

Dated: March 5, 2020

Respectfully submitted,

By: /s/ Marc N. Swanson

Marc N. Swanson (P71149)

Ronald A. Spinner (P73198)

MILLER, CANFIELD, PADDOCK AND
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EXHIBIT 1

BALLOT

IF THIS BALLOT IS NOT SIGNED ON THE APPROPRIATE LINES BELOW, THIS BALLOT WILL NOT BE VALID OR COUNTED AS HAVING BEEN CAST.

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Item 3. Certifications. By signing this Ballot, the undersigned certifies that he, she or it:

- i. is the Holder of one or more Other Unsecured Claims in Class 14 to which this Ballot pertains, or is an authorized signatory, and has full power and authority to vote to accept or reject the Plan and make the elections applicable to such Claims;
- ii. received a copy of the solicitation package consisting of: (a) a notice regarding the time and place of a hearing to consider confirmation of the Plan, (b) a CD-ROM including the Plan, Disclosure Statement and the exhibits thereto, (c) a Ballot and a ballot return envelope, (d) a copy of certain rules governing the tabulation of ballots, (e) a copy of the Notice of Voting Dispute Resolution Procedures approved by the Solicitation Procedures Order and (f) a cover letter;
- iii. has not submitted any other Ballots for Class 14 that are inconsistent with the vote to accept or reject the Plan set forth in this Ballot, or if such other ballots were previously submitted, they have been revoked or changed to reflect the vote of this Ballot; and
- iv. understands that a vote to accept the Plan is a vote to accept certain cancellation, discharge, exculpation, expungement, injunction and release provisions contained in the Plan.

Nemeth Law, P.C., f/k/a Nemeth Burwell, P.C.

Name

Social Security or Federal Tax I.D. No. (optional)

Patricia Nemeth

Signature

If by Authorized Agent, Name and Title

Name of Institution

Deborah Brouwer
200 Talon Centre Drive, Suite 200
Detroit, MI 48207

Address

313 567-5921

Telephone Number

7/9/14

Date Completed

dbrouwer@nemethlawpc.com

Email address

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 5, 2020, he filed the foregoing *Amended Designation of Allowed Claim* and its exhibit with the Court, using the Court's CM/ECF system which will provide notice of the filing to all registered participants in this matter. The undersigned also certifies that on March 5, 2020, a copy of the *Amended Designation of Allowed Claim* and its exhibit was served by U.S. mail upon

Nemeth Law, P.C.
Attn: Deborah Brouwer
200 Talon Centre Drive, Suite 200
Detroit, MI 48207

By: /s/ Marc N. Swanson

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Dated: March 5, 2020